

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mühlbauer *et al.*

Serial No.:

Group No.:

Filed:

Examiner:

Entitled: **A Mixture for Use as Wound Dressing**

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV 008 739 778 US, addressed to: Assistant Commissioner for Patents, Box CPA, Washington, D.C. 20231.

Dated: October 18, 2001

By: 

Cliff Cannon-Cin

Sir:

This preliminary amendment places this Continuation Application of the prior Application Serial No. 09/169,559, filed on October 9, 1998 (a copy of which is filed herewith) in condition to begin prosecution.

Instructions to amend the specification, and replacement or added paragraphs in clean form pursuant to 37 C.F.R. § 1.121(b), and a clean version of the rewritten, added, and/or cancelled claims with instructions for entry pursuant to 37 C.F.R. § 1.121(c)(1)(i) is included beginning on page 2 of this communication. A marked-up version of the specification's replacement paragraphs pursuant to 37 C.F.R. § 1.121(b), as well as rewritten, added, and/or cancelled claims pursuant to 37 C.F.R. § 1.121(c)(1)(ii) is attached as Appendix I. A clean version of the entire set of pending claims pursuant to 37 C.F.R. § 1.121(c)(3) as they would appear following entry of this amendment is attached as Appendix II.

Prior to examination, please amend the application submitted herewith as follows:

**CLEAN VERSION OF REPLACEMENT PARAGRAPHS IN THE
SPECIFICATION PURSUANT TO 37 C.F.R. § 1.121(b) AND OF REWRITTEN,
ADDED, AND/OR CANCELLED CLAIMS PURSUANT TO 37 C.F.R. § 1.121(c)(1)(i)**

IN THE SPECIFICATION:

On page 1, immediately prior to "FIELD OF THE INVENTION," the following text is added:

This is a Continuation of co-pending U.S. Patent Application Serial No. 09/169,559, filed on October 9, 1998.

IN THE CLAIMS:

Please cancel Claims 1-11

Please add the following Claims 12-43:

12. (New) A method for dressing a wound, comprising:
- a) providing a composition comprising at least one wax selected from the group consisting of paraffin, montan waxes, petroleum waxes, Fischer-Tropsch waxes, polyolefin waxes, petrolatum, wax alcohols, oxidates of said montan waxes, oxidates of said petroleum waxes, oxidates of said Fischer-Tropsch waxes, oxidates of said polyolefin waxes, oxidates of said petrolatum, and oxidates of said wax alcohols, and combinations thereof, and at least one metal hydroxide, wherein said composition does not contain neatsfoot oil; and
 - b) applying said composition to a bone wound as a dressing.
13. (New) The method of Claim 12, further comprising the step of stimulating collagen regeneration in said bone.
14. (New) The method of Claim 12, wherein said wound comprises a fractured surface in a bone.

15. (New) The method of Claim 12, wherein said wound comprises a cavity in a bone.
16. (New) The method of Claim 12, wherein said at least one wax comprises 10-50% by weight of said composition.
17. (New) The method of Claim 12, wherein said composition further comprises at least one additional substance selected from the group consisting of vegetable oils, fats, waxes, and combinations thereof.
18. (New) The method of Claim 17, wherein said at least one additional substance comprises 10-60% by weight of said composition.
19. (New) The method of Claim 17, wherein said vegetable oils are selected from the group consisting of jojoba oil, castor oil, sunflower oil, and combinations thereof.
20. (New) The method of Claim 12, wherein said at least one metal hydroxide is selected from the group consisting of alkali metal hydroxide, alkaline earth metal hydroxide, and combinations thereof.
21. (New) The method of Claim 20, wherein said alkaline earth metal hydroxide comprises calcium hydroxide.
22. (New) The method of Claim 21, wherein said calcium hydroxide content is 10-75% by weight of said composition.
23. (New) The method of Claim 12, wherein said composition further comprises at least one filler.
24. (New) The method of Claim 12, wherein said composition exhibits a delay in alkalinity release.

25. (New) The method of Claim 12, wherein said paraffin is liquid paraffin.
26. (New) A method for filling a root canal in oral surgery, comprising:
- a) providing a composition comprising at least one wax selected from the group consisting of paraffin, montan waxes, petroleum waxes, Fischer-Tropsch waxes, polyolefin waxes, petrolatum, wax alcohols, oxidates of said montan waxes, oxidates of said petroleum waxes, oxidates of said Fischer-Tropsch waxes, oxidates of said polyolefin waxes, oxidates of said petrolatum, and oxidates of said wax alcohols, and combinations thereof, wherein said at least one wax comprises 10-50% by weight of said composition, and at least one metal hydroxide, wherein said composition does not contain neatsfoot oil, and wherein said at least one metal hydroxide exhibits a delay in alkalinity release; and
 - b) applying said composition to a root canal as a filling.
27. (New) The method of Claim 26, wherein said paraffin comprises liquid paraffin.
28. (New) The method of Claim 26, wherein said petrolatum comprises liquid petrolatum.
29. (New) The method of Claim 26, wherein said composition further comprises at least one additional substance selected from the group consisting of vegetable oils, fats, waxes, and combinations thereof.
30. (New) The method of Claim 29, wherein said at least one additional substance comprises 10-60% by weight of said composition.
31. (New) The method of Claim 26, wherein said vegetable oils are selected from the group consisting of jojoba oil, castor oil, sunflower oil, and combinations thereof.

32. (New) The method of Claim 26, wherein said at least one metal hydroxide is selected from the group consisting of alkali metal hydroxide, alkaline earth metal hydroxide, and combinations thereof.

33. (New) The method of Claim 32, wherein said alkaline earth metal hydroxide comprises calcium hydroxide.

34. (New) The method of Claim 33, wherein said calcium hydroxide content is 10-75% by weight of said composition.

35. (New) The method of Claim 26, wherein said composition further comprises at least one filler.

36. (New) A composition comprising petrolatum, at least one metal hydroxide and at least one additional substance selected from the group consisting of vegetable oils, fats, waxes, and combinations thereof, wherein said composition does not contain neatsfoot oil, and wherein said composition exhibits a delay in alkalinity release.

37. (New) The composition of Claim 36, wherein said at least one additional substance comprises 10-60% by weight of said composition.

38. (New) The composition of Claim 36, wherein said vegetable oils are selected from the group consisting of jojoba oil, castor oil, sunflower oil, and combinations thereof.

39. (New) The composition of Claim 36, wherein said at least one metal hydroxide is selected from the group consisting of alkali metal hydroxide, alkaline earth metal hydroxide, and combinations thereof.

40. (New) The composition of Claim 39, wherein said alkaline earth metal hydroxide comprises calcium hydroxide.

41. (New) The composition of Claim 40, wherein said calcium hydroxide content is 10-75% by weight.

42. (New) The composition of Claim 36, wherein said composition further comprises fillers.

43. (New) The composition of Claim 36, wherein said petrolatum is liquid.

REMARKS

Applicants respectfully request entry of the present Preliminary Amendment. Pursuant to 35 U.S.C. §120, the Specification has been amended to recite the Continuation status of this Application, and its relationship to the previous Application filed by Applicants.

As filed, this Application presents Claims 12-43 for prosecution. Claims 1-11 were originally filed in the parent application. Applicants note that the parent case (U.S. Patent Appln. Ser. No. 09/169,559) has been allowed and the Issue Fee has been paid. Applicants submit the present Continuation application in order to pursue new Claims 12-43. No new matter has been added in these new Claims. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicants encourage the Examiner to call the undersigned at 415-904-6500.

Dated: 18 October 2001


Kamrin T. MacKnight
Registration No. 38,230

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415-904-6500

APPENDIX I

**MARKED-UP VERSION OF SPECIFICATION'S REPLACEMENT
PARAGRAPHS AND REWRITTEN, ADDED, AND/OR CANCELLED CLAIMS**

The following is a marked-up version of the specification's replacement paragraphs pursuant to 37 C.F.R. § 1.121(b), as well as a marked-up version of the claims pursuant to 37 C.F.R. § 1.121(c)(1)(ii) with instructions and markings showing changes made herein to the previous version of record of the specification and claims.

IN THE SPECIFICATION:

On page 1, please insert the following paragraph immediately prior to "FIELD OF THE INVENTION":

--This is a Continuation of co-pending application Serial No. 09/169,559, filed on October 9, 1998.--

IN THE CLAIMS:

Please cancel Claims 1-11.

Please add the following new Claims:

12. (New) A method for dressing a wound, comprising:
 - a) providing a composition comprising at least one wax selected from the group consisting of paraffin, montan waxes, petroleum waxes, Fischer-Tropsch waxes, polyolefin waxes, petrolatum, wax alcohols, oxidates of said montan waxes, oxidates of said petroleum waxes, oxidates of said Fischer-Tropsch waxes, oxidates of said polyolefin waxes, oxidates of said petrolatum, and oxidates of said wax alcohols, and combinations thereof, and at least one metal hydroxide, wherein said composition does not contain neatsfoot oil; and
 - b) applying said composition to a bone wound as a dressing.
13. (New) The method of Claim 12, further comprising the step of stimulating collagen regeneration in said bone.

14. (New) The method of Claim 12, wherein said wound comprises a fractured surface in a bone.
15. (New) The method of Claim 12, wherein said wound comprises a cavity in a bone.
16. (New) The method of Claim 12, wherein said at least one wax comprises 10-50% by weight of said composition.
17. (New) The method of Claim 12, wherein said composition further comprises at least one additional substance selected from the group consisting of vegetable oils, fats, waxes, and combinations thereof.
18. (New) The method of Claim 17, wherein said at least one additional substance comprises 10-60% by weight of said composition.
19. (New) The method of Claim 17, wherein said vegetable oils are selected from the group consisting of jojoba oil, castor oil, sunflower oil, and combinations thereof.
20. (New) The method of Claim 12, wherein said at least one metal hydroxide is selected from the group consisting of alkali metal hydroxide, alkaline earth metal hydroxide, and combinations thereof.
21. (New) The method of Claim 20, wherein said alkaline earth metal hydroxide comprises calcium hydroxide.
22. (New) The method of Claim 21, wherein said calcium hydroxide content is 10-75% by weight of said composition.
23. (New) The method of Claim 12, wherein said composition further comprises at least one filler.

24. (New) The method of Claim 12, wherein said composition exhibits a delay in alkalinity release.
25. (New) The method of Claim 12, wherein said paraffin is liquid paraffin.
26. (New) A method for filling a root canal in oral surgery, comprising:
- a) providing a composition comprising at least one wax selected from the group consisting of paraffin, montan waxes, petroleum waxes, Fischer-Tropsch waxes, polyolefin waxes, petrolatum, wax alcohols, oxidates of said montan waxes, oxidates of said petroleum waxes, oxidates of said Fischer-Tropsch waxes, oxidates of said polyolefin waxes, oxidates of said petrolatum, and oxidates of said wax alcohols, and combinations thereof, wherein said at least one wax comprises 10-50% by weight of said composition, and at least one metal hydroxide, wherein said composition does not contain neatsfoot oil, and wherein said at least one metal hydroxide exhibits a delay in alkalinity release; and
 - b) applying said composition to a root canal as a filling.
27. (New) The method of Claim 26, wherein said paraffin comprises liquid paraffin.
28. (New) The method of Claim 26, wherein said petrolatum comprises liquid petrolatum.
29. (New) The method of Claim 26, wherein said composition further comprises at least one additional substance selected from the group consisting of vegetable oils, fats, waxes, and combinations thereof.
30. (New) The method of Claim 29, wherein said at least one additional substance comprises 10-60% by weight of said composition.

31. (New) The method of Claim 29, wherein said vegetable oils are selected from the group consisting of jojoba oil, castor oil, sunflower oil, and combinations thereof.

32. (New) The method of Claim 26, wherein said at least one metal hydroxide is selected from the group consisting of alkali metal hydroxide, alkaline earth metal hydroxide, and combinations thereof.

33. (New) The method of Claim 32, wherein said alkaline earth metal hydroxide comprises calcium hydroxide.

34. (New) The method of Claim 33, wherein said calcium hydroxide content is 10-75% by weight of said composition.

35. (New) The method of Claim 26, wherein said composition further comprises at least one filler.

36. (New) A composition comprising petrolatum, at least one metal hydroxide and at least one additional substance selected from the group consisting of vegetable oils, fats, waxes, and combinations thereof, wherein said composition does not contain neatsfoot oil, and wherein said composition exhibits a delay in alkalinity release.

37. (New) The composition of Claim 36, wherein said at least one additional substance comprises 10-60% by weight of said composition.

38. (New) The composition of Claim 36, wherein said vegetable oils are selected from the group consisting of jojoba oil, castor oil, sunflower oil, and combinations thereof.

39. (New) The composition of Claim 36, wherein said at least one metal hydroxide is selected from the group consisting of alkali metal hydroxide, alkaline earth metal hydroxide, and combinations thereof.

40. (New) The composition of Claim 39, wherein said alkaline earth metal hydroxide comprises calcium hydroxide.

41. (New) The composition of Claim 40, wherein said calcium hydroxide content is 10-75% by weight.

42. (New) The composition of Claim 36, wherein said composition further comprises fillers.

43. (New) The composition of Claim 36, wherein said petrolatum is liquid.

APPENDIX II
CLEAN VERSION OF THE ENTIRE SET OF
PENDING CLAIMS AS AMENDED IN THIS COMMUNICATION

The following is a list of the claims as they would appear following entry of this amendment.

12. (New) A method for dressing a wound, comprising:
 - a) providing a composition comprising at least one wax selected from the group consisting of paraffin, montan waxes, petroleum waxes, Fischer-Tropsch waxes, polyolefin waxes, petrolatum, wax alcohols, oxidates of said montan waxes, oxidates of said petroleum waxes, oxidates of said Fischer-Tropsch waxes, oxidates of said polyolefin waxes, oxidates of said petrolatum, and oxidates of said wax alcohols, and combinations thereof, and at least one metal hydroxide, wherein said composition does not contain neatsfoot oil; and
 - b) applying said composition to a bone wound as a dressing.
13. (New) The method of Claim 12, further comprising the step of stimulating collagen regeneration in said bone.
14. (New) The method of Claim 12, wherein said wound comprises a fractured surface in a bone.
15. (New) The method of Claim 12, wherein said wound comprises a cavity in a bone.
16. (New) The method of Claim 12, wherein said at least one wax comprises 10-50% by weight of said composition.
17. (New) The method of Claim 12, wherein said composition further comprises at least one additional substance selected from the group consisting of vegetable oils, fats, waxes, and combinations thereof.

18. (New) The method of Claim 17, wherein said at least one additional substance comprises 10-60% by weight of said composition.

19. (New) The method of Claim 17, wherein said vegetable oils are selected from the group consisting of jojoba oil, castor oil, sunflower oil, and combinations thereof.

20. (New) The method of Claim 12, wherein said at least one metal hydroxide is selected from the group consisting of alkali metal hydroxide, alkaline earth metal hydroxide, and combinations thereof.

21. (New) The method of Claim 20, wherein said alkaline earth metal hydroxide comprises calcium hydroxide.

22. (New) The method of Claim 21, wherein said calcium hydroxide content is 10-75% by weight of said composition.

23. (New) The method of Claim 12, wherein said composition further comprises at least one filler.

24. (New) The method of Claim 12, wherein said composition exhibits a delay in alkalinity release.

25. (New) The method of Claim 12, wherein said paraffin is liquid paraffin.

26. (New) A method for filling a root canal in oral surgery, comprising:

- a) providing a composition comprising at least one wax selected from the group consisting of paraffin, montan waxes, petroleum waxes, Fischer-Tropsch waxes, polyolefin waxes, petrolatum, wax alcohols, oxidates of said montan waxes, oxidates of said petroleum waxes, oxidates of said Fischer-Tropsch waxes, oxidates of said polyolefin waxes, oxidates of said petrolatum, and oxidates of said wax alcohols, and combinations thereof, wherein said at least one wax comprises 10-50% by weight of

said composition, and at least one metal hydroxide, wherein said composition does not contain neatsfoot oil, and wherein said at least one metal hydroxide exhibits a delay in alkalinity release; and

- b) applying said composition to a root canal as a filling.

27. (New) The method of Claim 26, wherein said paraffin comprises liquid paraffin.

28. (New) The method of Claim 26, wherein said petrolatum comprises liquid petrolatum.

29. (New) The method of Claim 26, wherein said composition further comprises at least one additional substance selected from the group consisting of vegetable oils, fats, waxes, and combinations thereof.

30. (New) The method of Claim 29, wherein said at least one additional substance comprises 10-60% by weight of said composition.

31. (New) The method of Claim 29, wherein said vegetable oils are selected from the group consisting of jojoba oil, castor oil, sunflower oil, and combinations thereof.

32. (New) The method of Claim 26, wherein said at least one metal hydroxide is selected from the group consisting of alkali metal hydroxide, alkaline earth metal hydroxide, and combinations thereof.

33. (New) The method of Claim 32, wherein said alkaline earth metal hydroxide comprises calcium hydroxide.

34. (New) The method of Claim 33, wherein said calcium hydroxide content is 10-75% by weight of said composition.

35. (New) The method of Claim 26, wherein said composition further comprises at least one filler.

36. (New) A composition comprising petrolatum, at least one metal hydroxide and at least one additional substance selected from the group consisting of vegetable oils, fats, waxes, and combinations thereof, wherein said composition does not contain neatsfoot oil, and wherein said composition exhibits a delay in alkalinity release.

37. (New) The composition of Claim 36, wherein said at least one additional substance comprises 10-60% by weight of said composition.

38. (New) The composition of Claim 36, wherein said vegetable oils are selected from the group consisting of jojoba oil, castor oil, sunflower oil, and combinations thereof.

39. (New) The composition of Claim 36, wherein said at least one metal hydroxide is selected from the group consisting of alkali metal hydroxide, alkaline earth metal hydroxide, and combinations thereof.

40. (New) The composition of Claim 39, wherein said alkaline earth metal hydroxide comprises calcium hydroxide.

41. (New) The composition of Claim 40, wherein said calcium hydroxide content is 10-75% by weight.

42. (New) The composition of Claim 36, wherein said composition further comprises fillers.

43. (New) The composition of Claim 36, wherein said petrolatum is liquid.